

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Public Services – A.P.Works Accounts Service – Allegation of corruption against Sri Y Somaiah, DAO (W), O/o the Executive Engineer, PR (RWS) Division, Khammam – Imposition of punishment of one annual grade increment without cumulative effect – Orders – Issued.

FINANCE (WA-II) DEPARTMENT

G. O. Rt. No. 2157

Dated:29-04-2010,
Read the following:-

1. The Director General, ACB Letter No. 182/RCT-WWL/2004-S5 dated 15.12.2004.
2. The Director of Works Accounts proceedings No. DWA/Hyd/Sn.I/A1/2005-05/561 dated 27.12.2004.
3. G.O. Rt No. 750, Finance (WA.II) Department dated 06.03.2006.
4. The Director of Works Accounts Proceedings No. DWA/Hyd/Sn.I/A1/FD.F/06-07/396 dated 02.01.2007.
5. G.O. Rt No. 2068, Finance (WA.II) Department dated 17.05.2007.
6. G.O. Rt No. 3150, Finance (WA.II) Department dated 17.08.2007.
7. G.O. Rt No. 2824, Finance (WA.II) Department dated 25.06.2008.
8. From the Commissioner of Inquiries D.O. Lr No. 1251/COI-CK/A5/2008-10 dated 31.07.2009.
9. The Director of Works Accounts letter No. DWA/Hyd/EC1/2009-10/350 dated 10.02.2010.

O R D E R:

The Director General, ACB in the reference 1st read above, informed that a trap was conducted on 6.12.2004 against Sri Y. Somaiah, DAO (W), O/o the Executive Engineer, PR (RWS) Division, Khammam for demanding and accepting a bribe of Rs. 1500/- from Sri Velpula Srinivasa Rao, S/o Nagulu for doing official favour of passing the final bill pertaining to work executed by him. The Director of Works Accounts in the reference 2nd read above suspended the individual from the service. The Director of Works Accounts in the reference 4th read above, framed Article of charges against Sri Y. Somaiah, DAO (W), O/o the Executive Engineer, PR (RWS) Division, Khammam. Meanwhile, Sri Y. Somaiah, DAO (W) was reinstated into service vide orders issued in the reference 3rd read above.

After examining the written statements of defence submitted by Sri Y. Somaiah, DAO (W), O/o the Executive Engineer, PR (RWS) Division, Khammam and others, Government in the reference 5th read above, appointed Sri S. Satyanarayana, member, Commissioner of Inquiries as Enquiry Officer under Rule 20(2) of Andhra Pradesh Civil Service (CC&A) Rules, 1991 to conduct departmental enquiry against the above charged Officer and other staff on the charges framed against them. Orders were also issued in the reference 6th read above, appointing Sri M. Vara Prasada Rao, Advocate in High Court of Andhra Pradesh as Presenting Officer to present the case, in place of PAO, Khammam under Rule 20(5)(c) of A.P. Civil Services (CC&A) Rules, 1991.

However, based on the instructions orders of General Administration (COI-R) Department in U.O. Note No. 333/COI-R/2008-1, dated 09.04.2008, orders were issued in the reference 7th read above, entrusting the inquiry into the charges framed against Sri Y. Somaiah, DAO (W), O/o the Executive Engineer, PR (RWS) Division, Khammam and two others to Smt Chandana Khan, IAS., Commissioner of Inquiries.

(P.T.O)

The Commissioner of Inquiries in the reference 8th read above, submitted the Inquiry Report. In the report, the Inquiry Authority opined that:

“Given the analysis and assessment as above, I find C.O.2(i.e., Sri O. Rajalingam, Executive Engineer, RWS, Project Division, Panchayat Raj Department, Khammam) is primarily responsible and the charges are proved against him. Further instead of shielding his subordinates he tried to escape from the responsibility and threw the blame on Charged Officer. 1(i.e., Sri Y. Somaiah, DAO (W), O/o the Executive Engineer, PR (RWS) Division, Khammam) and Charged Officer.3 i.e., Smt. B. Padmavathi, Senior Assistant, O/o Executive Engineer, RWS, Project Division, PR Department, Khammam District) For Charged Officer-3 she should be exonerated as she had no role to play on her own except for working the instructions of her boss. For Charged Officer.1, as appointed earlier, he had no intention of taking bribe originally but was made to do the same for Charged Officer.2. Further as stated by the complainant, his complaint was not against Charged officer.1. On this basis Charged Officer.1 also deserved to be partly exonerated. I come to the conclusion that Charged Officer.2 was the kingpin for taking illegal gratification and Charged Officer.1 was forced to oblige. Charged Officer.3 has been made a scapegoat by Charged Officer.2.

After examination of the Inquiry Report, Government hereby order for imposition of a minor penalty of “stoppage of one increment without cumulative effect” on Sri Y. Somaiah, DAO (W)

The Director of Works Accounts, Hyderabad is requested to take further necessary action in this matter under intimation to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.E. SEKHAR BABU,
SECRETARY TO GOVERNMENT (W&P)

To
Sri Y. Somaiah, DAO (W) through
The Director of Works Accounts, Hyderabad.
Copy to:
The Director of Works Accounts, Hyderabad.
The P.R. & R.D. [Vig.1(A)] Department
The Director General. A.C.B., Hyderabad.
The Secretary to A.P. Vigilance Commission.
SF/SCs.

// FORWARDED BY ORDER //

SECTION OFFICER.